Message

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Subject: LaPlace News Article

Good morning -- I wanted to share a copy of this news article with you.

David

Inside EPA - 07/29/2016

EPA, State Pursue Novel Use Of NATA To Push For Facility Emissions Cuts

July 27, 2016

EPA and Louisiana air regulators are taking the novel step of using air pollution data from the agency's latest National Air Toxics Assessment (NATA) to scrutinize toxic emissions from an industrial facility and push for voluntary pollution cuts, which observers say could encourage other states to use the data to target industry air toxics.

"It's an unusual step -- I've never before had brought to my attention a specific facility that rises to the level of concern under the National Air Toxics Assessment," says one environmentalist who works with air pollution issues nationwide. The source says NATA data is generally seen as not granular enough to support such a focus on a specific

industrial facility, making the action in Louisiana rare -- if not the first of its kind nationwide.

NATA is an influential study on the state of air toxics emissions across the country that many state regulators rely on to guide their decisions. The agency issues the NATA periodically, and is often under pressure from states to issue updates more frequently to make the data more relevant. EPA most recently issued an update Dec. 17, which was informed by 2011 emissions data. It is unclear when the agency will release the 2014 NATA.

EPA on its website says the NATA data should "be used cautiously, as the overall quality and uncertainties of the assessment will vary from location to location as well as from pollutant to pollutant."

The agency says that NATA can be used for several purposes including identifying air toxics of the greatest concern; improving the understanding of health risks from air pollution; and helping set priorities for collecting of additional emissions data. But EPA also warns that NATA should not be used "as a definitive means to pinpoint specific risk values within a census tract," or as the sole basis to control specific emissions sources.

Nevertheless, EPA and Louisiana regulators are using the 2011 NATA to target emissions from a LaPlace, LA, elastomer plant -- a novel use of the air toxics data to support specific compliance action rather than broader strategic efforts that could signal new scrutiny of individual facilities based on the data released in 2015.

Spokespeople for EPA headquarters and Region 6 told Inside EPA July 13 that the agency is stepping up air monitoring at the Denka Performance Elastomer (DPE) plant in LaPlace and working on voluntary emissions cuts based on NATA data showing high levels nearby of the likely carcinogen chloroprene. There appear to be no other potential sources of the air toxic chloroprene anywhere else in the region, leading to the focus on the DPE plant.

DPE, which produces the rubber substitute elastomer, tells Inside EPA however that it might seek revisions to EPA's 2010 risk assessment that identified chloroprene as a carcinogen.

According to an EPA headquarters spokeswoman, the agency's work with DPE is the only compliance action it has taken so far based on the 2011 NATA released last year.

But the environmentalist says EPA's action in Louisiana could spur other groups to examine facilities across the United States where NATA data might help target emissions of concern from particular plants.

EPA is also stepping up use of NATA for environmental justice (EJ) actions, announcing in June that it added data from the assessment to its EJ screening tool, known as

EJSCREEN. While the overall NATA was already published, the update means the EJ tool now includes air toxics risk screening data previously available only to agency staff.

Yet regulators and advocates say that NATA alone is not enough to support compliance action at facilities; rather, the data only shows a need to conduct more intensive monitoring and confirm high risks to nearby communities.

In a July 12 interview with Inside EPA, Louisiana Department of Environmental Quality (LDEQ) Press Secretary Greg Langley said that when regulators examined the NATA maps released on Dec. 17, "There was a large area of red, which indicates a cancer risk, in LaPlace" that spurred them to reach out to EPA and DPE's management, Langley said.

But rather than moving directly to implement new air toxics controls, Langley said that due to the limited data "first we need to do more monitoring to get a better sense of exactly what it is we're looking at."

A second environmentalist, at WE ACT for Environmental Justice, says the group has "never seen it before," referring to the use of NATA for individual compliance. That group has found municipal emissions data to be "much more indicative" of which facilities need specific attention, the source says.

The high cancer risk signaled by the 2011 NATA data in LaPlace is from emissions of chloroprene, which is a byproduct of the elastomer production process and which EPA classified as a likely human carcinogen in 2010.

LDEQ and EPA are now in the fourth month of a six-month monitoring plan to more accurately assess chloroprene emissions from DPE, while the facility itself is stepping up its modeling of air releases and investigating new control technologies including improved leak detection that could reduce risk to nearby communities.

However, LDEQ's Langley told Inside EPA that regulators have limited options to require those controls if modeling and monitoring efforts bear out the NATA data because EPA has promulgated only a health advisory level of 0.2 micrograms per cubic meter. "There is not an enforceable standard . . . We don't have a cudgel to hold over them," he said.

DPE meanwhile is signaling that it may seek revisions to the 2010 risk assessment that classified chloroprene as a likely carcinogen, which if successful could negate the NATA warnings of cancer risk from the LaPlace facility's air emissions.

Jorge Lavastida, DPE's executive officer and plant manager told Inside EPA July 20 that "We are working with toxicologists at Ramboll Environ to review the 2010 inhalation Unit Risk Estimate (URE), which was used in the NATA study."

Lavastida said the toxicology firm "has advised DPE that it believes there are a number of reasons to update and substantially reduce the 2010 URE," and is seeking a meeting

with staff from EPA's Integrated Risk Information System program "to discuss the scientific rationale for an updated URE." -- David LaRoss

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